

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**REX DARYL ICE,**

**Plaintiff,**

**v.**

**ANDREW SAUL,  
Commissioner of Social Security,**

**Defendant.<sup>1</sup>**

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**Case No. CIV-19-699-STE**

**ORDER**

Magistrate Judge Shon T. Erwin issued a Report and Recommendation (“R. & R.”) in this matter on July 31, 2019 (Doc. No. 3). Judge Erwin recommends that the Court: 1) deny Plaintiff’s application for leave to proceed *in forma pauperis* (Doc. No. 2); 2) order Plaintiff to pay the \$400.00 filing fee; and 3) dismiss this action if Plaintiff fails to pay the filing fee within 21 days.

Plaintiff has now paid the \$400.00 filing fee. Accordingly, it is clear that Plaintiff does not object to the recommendations made in the R. & R.

The Court ACCEPTS and ADOPTS the R. & R. Consistent with Judge Erwin’s recommendation, and in light of Plaintiff’s payment of the filing fee, Plaintiff’s application for leave to proceed *in forma pauperis* (Doc. No. 2) is DENIED. Payment of the filing fee renders the R. & R.’s other recommendations moot.

This matter remains assigned to Judge Erwin in accordance with General Order No. 16-4.

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<sup>1</sup> The current Commissioner of Social Security is hereby substituted as Defendant pursuant to Federal Rule of Civil Procedure 25(d).

IT IS SO ORDERED this 29th day of August, 2019.

  
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CHARLES B. GOODWIN  
United States District Judge